G. R. S. 58]

Previous references.
CB 28-4-42
CB 30-19-42

1924-5
(CB)

File No. 169/24
Serial Nos. 1 to 4

Later references.

Reserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 4

Part B for May 1925

SUBJECT

Proposals regarding the exclusion to members of the Bar recruited as Special Magistrates of the concession of counting for pension a portion of their service at the Bar.

To. The Registrar, Chief Court
The Comptroller, Mysore Govt, thro' the Financial Secretariat
Endo 2543-4 Dt 30/4/25

Sanctions the concession of counting for pension a portion of their service at the Bar to those directly recruited as Special Magistrates

(For Disposal by Circulation.)

No. C. 364

..... 19.24-25.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Proposals of the Chief Court in the matter of certain concessions to the Special Magistrates directly recruited from the Bar, for purposes of pension.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D Ramaswamy

23rd March ..... 19.25. **Offg.** *Chief Secretary to Government.*

Extraordinary Member of Council.

578/am3

First Member of Council. 24/3

768b/24/3

Second Member of Council. 25/3

Third Member of Council. Subs to I Member for final ord

27-3-25

Subs

Final Notn by Finance Member to be placed before Council

30/3

1360

General and Revenue Secretariat.

C.B. File No. 149 of 1925

Serial No.

From The Registrar, Chief Court, C.S.C. 8.4.2.25

Forwards application of Mr. C. Narayanaswami Naidu, acting Special First grade magistrate, Chikmagalur requesting permission to count a portion of his service at the Bar and also his service as Public Prosecutor for pension

A member of the Bar directly recruited as a Sub-judge or to a higher appointment in the Judicial Department is allowed to count as service qualifying for pension the number of completed years by which his age at the time of his appointment has exceeded 25 years subject to a maximum of 5 years. Similarly a Munsiff is allowed to count 3 years.

2 Mr. Narayanaswami Naidu requests that he may be allowed to count 3 years in addition to the period of his service as Public Prosecutor or that he may be allowed to count 5 years of service for pension

3 The concession of adding 5 years of service to members of the Bar appointed as Presidency Magistrates is allowed in British India (Vide Art. 403, C.S.R.)

4 Submd. for orders

Ans 14.2.25 hm

5. The concession shown to persons recruited from the Bar to the Sub-Judge's & higher and the Munsiff's grade may be shown extended to

NOTE—Contn. Sheet

2)

G.R.S. III-2]

C.B. File No. 149 of 1924. 1366/25

General and Revenue Secretariat

Serial No.

persons ~~originally~~ recruited to the ~~grade of~~ 2nd grade Magistrates, and to ~~lower~~ grades of Magistrates respectively

b- The Jud Br may be consulted

Mw 6/2

Ch Secy) 7 yrs

8 As the appointment of Magistrates belongs to the Judl Deptt., the ~~claim~~ benefit of the rules contd in Arts 278 & 278 A, has to be given to them. The Article as it now reads refers only to appts of Subjudges & higher posts & not Magistrates.

Qn The other requests of the Narayanaswami are not covered by the rules, and would arise only for special consideration, if any.

bz 20.2.25

Mw 20/2

20/2/25

To Jud Secty

FINANCIAL SECRETARY 20 FEB 1925 R 1827-24

!!) The opinion of the Chief Court is not on record I think the matter is important enough for the expression of opinion of the Judges. The Concession allowed in the case of Munsiffs Sub Judges & Other Mag. on the recommendation of the Chief Court

Mw 23/2/25

NOTE—Contn. Sheet

(3

B193

General and Revenue Secretariat.

C.B. File No. 149 of 1924 C.B. 1361 1490

Serial No.

12 The opinion of the Chief Court will, if called, be called for

1st December

23.2.25

616/23.2

13. June 7 24/2

14 Draft subs.

28 Aug 27/2/25

15 June

Now 28/2

2 To

The Registrar, Chief Court letter no 2094 dt 2-3-25

Request him to furnish the opinion of the Judges of the Chief Court in the matter of Mr. Narayanaswamy Naidu's representation

3 From

The Registrar, Chief Court no 1085/24-25 dt 9.3.25

Suggests that the concessions shown to the members of the bar directly recruited as munsiffs & Subordinate judges may be extended to the cases of Special Magistrates and that Mr. Narayanaswamy Naidu be allowed to count for pension service up to 3 years at the Bar and states that service as Public Prosecutor cannot count for pension

To Submitted for orders Ref paras 12 & 13 above

Aug 13.3.25

NOTE—Contn. Sheet

(Chetty)

4)

G.R.S. III-2]

File No. 149 of 19 24 — General and Revenue Secretariat

Serial No.

If Secy., after Compliments, with ref^e to the note at para 11.

17.3.25

The recommendation of the Chief Court may be sd

19.3.25

345/20.3 (1st member & Secy.)

19.3.25

I agree

I believe this is a case where the Govt. may be prepared to go a certain length in conceding appeals to Govt.

Supt. Magh disposed of

Council Section.

Circulate.

23.3.25

By Circn & ret

24/3 Papers to the Chief Commr

NOTE—Contn. Sheet

General and Revenue
Secretariat.—— C. D. File No. 149 - of 1924 C364

Serial
No.

S. N. Sabe
Dewan
30.3.25
31/3

Final Note by the First Member of Council.

Subject:-

Proposals regarding the extension to members of the Bar recruited as Special Magistrates, of the concession of counting for pension a portion of their service at the Bar.

Under Art. 278 of the M.S.R., a member of the Bar directly recruited at an age exceeding 25 years as a Sub Judge or to a higher post in the Judicial Department can count as service qualifying for pension (superannuation) the number of completed years by which his age at the time of his appointment exceeded 25 years subject to a maximum of 5 years; and under Art. 278 A, a Member of the Bar recruited at an age exceeding 25 years directly as Munsiff can claim similar concession subject to a maximum of 3 years. Mr. C. Narayanaswami Naidu who was appointed as Special 2 Grade Magistrate from the Bar having requested that the concessions referred to above may be allowed also to persons recruited as Special Magistrates directly from the Bar, the Chief Court have recommended that the concession allowed in Art.278 of the M.S.R. to Sub Judges and officers of higher grade may be shown to members of the Bar appointed as Special First Grade Magistrates and that shown to Munsiffs under Art. 278 A, may be allowed to those recruited from the Bar and appointed as Special Second Grade or Third Grade Magistrates.

The Financial Secretary has expressed it as his opinion that the recommendation of the Chief Court may be sanctioned; and this is agreed to by the Dewan and the Second Member of Council. I therefore beg that the proposals of the Chief Court for extending the concession mentioned above to persons recruited from the Bar as Special Magistrates may be graciously approved.

OFFG. FIRST MEMBER OF COUNCIL.

30-3-25.

30/3/25

Submitted to His Highness.

I submit herewith a Final Note by the First

Member of Council on the subject of Proposals regarding the extension to members of the Bar recruited as Special Magistrates of the concession of counting for pension a portion of their service at the Bar.

for His Highness' gracious approval.

STATEMENT OF CASES SUBMITTED FOR THE ORDERS OF HIS HIGHNESS THE MAHARAJA DURING THE TOUR OUTSIDE THE STATE IN.....April 1925..... ~~1924~~

Serial No.	Subject	Recommendation of Council, or Member of Government in charge, as the case may be	Dewan's recommendation	Orders of His Highness	Orders regarding submission of files (*vide* foot-note)
546	Extension of the concessions specified in Arts.278 and 278A of the Mysore Service Regulations to members of the Bar recruited as Special Magistrates.	...	...	668 approved by His Highness N' Innumbraches — 6/4/25 —	C

NOTE.—The letter a, b or c may kindly be inserted by the Private Secretary to His Highness in the last column to indicate whether—

File may be submitted at once ... ... a
File may be submitted after His Highness' return ... ... b
File may not be submitted at all c

WD 1212—GPB —500—7-1-19

C 364
1490

General and Revenue Secretariat

C.B. file no 149 - 24

Proposals of the Chief Court in the matter of certain concessions to the Special Magistrate directly recruited from the Bar for purposes of Session.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circlated to the Members of Council at headquaters and then sent to the Secretariat coneerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before /after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

363
17.4

FIRST MEMBER OF COUNCIL. 17/4

8413
17/4

SECONDMEMBER OF COUNCIL 17/4

EXTRA MEMBER OF COUNCIL.

Draft H.O. submitted.

NOTE- Contn. sheet.

Draft hm 21.4.25.

(1st member).

hm 28.4.25

742
29.4

29/4

Issue hm 30.4.25

APP. F. III—2]

General and Revenue Secretariat.

C.B. File No. 149 of 1924.

	Serial No.	
		Fe Secy has agreed : I/side his note d 19.3.1925 -
Fe 2450		Subst with Opt Asst echie,
		Bz 1/5/25 To the Comptroller Fe 595-7 dated 5.5.25
	4	G.O. no 2543-4 & 30.4.25
		sanctions the concession of counting
		for pension a portion of their service
		at the Bar to those directly recruited
B		as Special Magistrates

NOTE—Contn. Sheet

33849

CS 1672
CS 136.6

CHIEF COURT OF MYSORE

Bangalore, dated 4th February '25

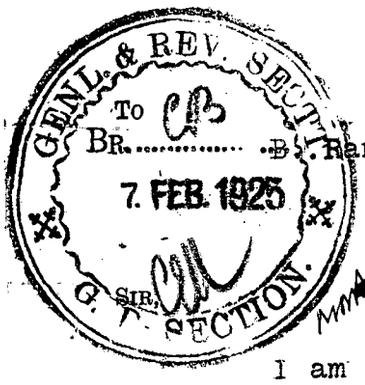
Telegraphic Address. "JUSTICE"

CB 149-24-1

C. No. 884/24-25/Genl.

FROM

A. SREENIVASARAGAVACHARI, ESQ., B.,A., B.L.,
Registrar, Chief Court of Mysore.



To CB
BR. ..... B. Ramaswamaiya, Esq., B.A., B.L.,
Chief Secretary to Government,
B A N G A L O R E.

SIR,

I am directed to forward herewith an application dated the 23rd January 1925, addressed to you by Mr. C. Narayanaswami Naidu, B.A., B.L., Acting Special First Grade Magistrate, Chikmagalur.

I have the honour to be,
Sir,
our most obedient servant,

A. Sreenivasaraghavachari 4/2/25
REGISTRAR.

TKV.

Office of the Special First
Grade Magistrate, Chikmagalur
Dated 23-1-25.

From,

C.Narayanaswami Naidu, Esq.B.A., B.L.,
Special First Class Magistrate,
Chikmagalur.

To,

The Chief Secretary
to the Government of Mysore,
Bangalore.
Through the District Magistrate,
Kadur District, Chikmagalur.

Sir,

I have the honour to request you to place before the Government the following representation for favourable consideration and orders:-

1. The Government are pleased to direct that a member of the Bar directly recruited as Sub Judge or Munsiff be allowed to count as service qualifying for pension the number of completed years by which his age at the time of his appointment has exceeded 25 years subject to the minimum of 5 years in the case of Sub Judges(vide amendment slip no 17 dated 18th August 1924 to M.S.R.) and 3 years in the case of Munsiffs(G.O NO 821/C.B 28-24-2 dated 23-9-24).

minimum ?

2. Special Magistrates who are directly recruited from the Bar and who also belong to the Judicial service are entitled to be shown the same concession as these officers.

3. It is humbly requested that similar concessions be given to the Special Magistrates who are directly recruited from the Bar.

4. In my humble case though I was appointed as a Second Grade Magistrate, I was started on a pay of Rs 350/- and the Government have been pleased to promote me to the 1st grade (actin within a year of my appointment.

I have also served the Government faithfully as Public Prosecutor for nearly 4 years and I pray that in addition to the concession that may be shown to all Magistrates, I may be allowed to count as service qualifying for pension the period of my service as Public Prosecutor. I respectfully submit that such members of the Bar as have served the Government are entitled to be shown special concessions in addition to the concession shown to the other members of the Bar either the full period of their service or at least half of it may kindly be recognized as service qualifying for pension.

6. I humbly pray that in case I am to be treated as a 2nd Grade Magistrate the period of my service as Public Prosecutor may also be recognized as service qualifying for pension in addition to the period of 3 years allowed to Munsiffs, or the concession shown to the Sub Judges may be shown to me in consideration of my service as Public Prosecutor and the fact that I was started on Rs 350/- and soon promoted to the first grade.

I have the honour to be,

sir,

Your most obedient servant,

C. Narayanaswamy Naidu

Special First Class Magistrate.

C H I K M A G A L U R.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to CB/366

General and Revenue Secretariat

(

, the *191*

Section CB
File No. 169-24
Serial No 2

No. 2087/Genl

Date of issue 24/3/1925

Signed by Asst. M Venkatesa
Degreegar.

To

The Registrar, Chief Court of Rayan

Sir,

With ref^e to your letter No. C-884/
24-25 dt 4th February 1925 forwarding the
application of Mr. C. Narayanaswami
Naidu, Ag Special First Grade Magistrate
Chickmagalur, requesting permission to
Count a portion of his service at the
Bar as well as his service as Public
Prosecutor for pension, I am directed
to request you to kindly furnish
the Opinion of the Hon'ble Judges of the Chief

over.

37483

CB 1490.

Telgm:
"JUSTICE"

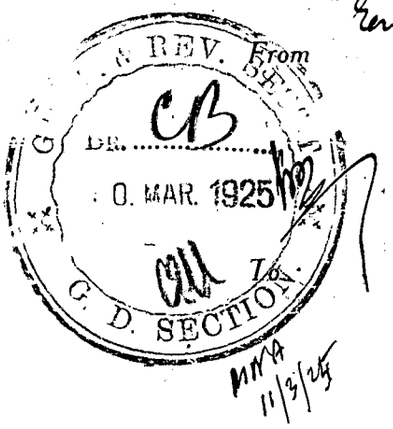
CHIEF COURT OF MYSORE
Public Office Buildings, Cubbon Park,

Bangalore 9th March *1925*.

R. O. C. No. 1085
Dis.

CB 149-24-3

Encl 1.



A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

B. RAMASWAMAIYA, Esq., B.A., B.L.
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore

Sir,

I am directed to acknowledge the receipt of your letter No.2097/C.B. 149-24-2 dated the 2nd March 1925, forwarding the application of Mr. C. Narayanaswami Naidu, Acting Special First Grade Magistrate, Chickmagalur, for certain concessions and requesting to be furnished with the opinion of the Chief Court in the matter.

2. In reply, I am to state that as Mr. C. Narayanaswami Naidu was started as a Second Grade Magistrate, which corresponds in rank and status to Munsiffs and not Subordinate Judges, the concession shown to the members of the Bar directly recruited as Munsiffs, viz., counting for purposes of pension service up to three years at the Bar, would fitly apply to his case. Services as Public Prosecutor, I am to observe, cannot be counted separately and independently of the period spent at the Bar as it is not a whole-time appointment and a Public Prosecutor has the option of practising as an advocate independently and the work done by a Public Prosecutor is more or less the same as that of other members of the Bar in active practice.

V & H

3. In this connection, I am to suggest that the concession shown to members of the Bar directly recruited as Munsiffs and Subordinate Judges may, in accordance with the same principles, be extended to the cases of direct recruitments from the Bar to the appointments of all first, second and third Grade Magistrates. The concession shown in the case of Munsiffs may be applied to persons recruited as third and second grade Magistrates, and that shown to Subordinate Judges recruited directly from the Bar may be extended to similar recruitments to the first Grade Magistracy. The enclosure to your letter is herewith returned.

I have the honour to be,

S i r,

Your most obedient servant,

Registrar. 9/3/25

TMN/2

G.R.S. VI G 34]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section C.B.

File No. 149-24

Serial No. 4

General and Revenue Secretariat

Proceedings of the Government of His Highness the Maharaja of Mysore

( )

the *192*

Date of issue.... 30/4/25

Signed by W.M. Venkatesa Iyengar.

Read—

Correspondence ending with letter No. R.O.C. 1085/24-25 & A dated 25th March 25 from the Registrar, Chief Court, forwarding a representation of Mr. C. Narayanaswami Naidu, Special Magistrate, 2nd grade, asking for certain concessions and stating that the Chief Court consider that the members of the Bar directly recruited as ~~third~~ ~~second grade~~ Special Magistrates may be shown concessions similar to those granted in the cases of ~~direct~~ persons recruited ~~recruitment~~ as Munsiffs, ~~first grade~~ 2nd grade from the Bar

Order Thereon No.

~~Magistrate, being shown the concessions~~

~~As in the cases of subordinate judges~~

~~in regard to their period of service for pension~~

and that services as Public Prosecutor cannot be counted separately and independently of the period spent at the Bar as it is not a whole time appointment.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order no 25434/C.S. 149-44
Dt 30/4/25

Govt are pleased to direct that a member of the Bar directly recruited as ~~third or second grade~~ Special Magistrate be allowed to count as service qualifying for pension the number of completed years by which his age at the time of his appointment have exceeded 25 years, subject to a maximum of 3 years. ~~The above concession and a maximum of 5 years will extend to~~ In the case of recruitment to ~~direct~~ this or Second class Magistrate as first grade ~~Magistrates also, but subject to a maximum of 5 years.~~

grade?

The necessary amendments to the Mysore Service Regulations will be issued in due course.

28/4/25
Chief Secretary

List of enclosures.

28/4.

To The Registrar, Chief Court
info C.P.
Comptroller thro' Fin Secy.
copy to Pol Branch
Fin Secy

Sent on 30/4/25

Copied by

Examined by

Orders
21/4/25.

WD 1885—GPB—1,000,00—21-12-21